

for GMLinden

NJD 002 186 690

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June 22, 2015

Mr. Gary Greulich
New Jersey Department of Environmental Protection
Northern Regional Office
7 Ridgedale Avenue
Cedar Knolls, NJ 07927

RE: Remedial Action Progress Report No. 16 for the Industrial #2 Redevelopment Area
Portion of the Former General Motors (GM) Linden Assembly Plant, 1016 West Edgar
Road, Linden, Union County, New Jersey 07036; DUK059.701.0187.

Dear Mr. Greulich:

On June 3, 2011, the New Jersey Department of Environmental Protection (NJDEP) approved the New Jersey Remedial Action Workplan and RCRA Corrective Measures Proposal Addendum No. 4 (RAWP) for the Industrial #2 Redevelopment Area of the Former GM Linden Assembly Plant (Site; SRP PI# 621084; Case Tracking Number: E20040531-Industrial). The June 3, 2011 approval letter requested a Remedial Action Progress Report for the Industrial #2 Redevelopment Area on/by September 30, 2011. Subsequent reports will be submitted on a quarterly basis.

As discussed during extensive correspondence with NJDEP, the industrial portion of the Former GM Plant, which includes the Industrial #1 and Industrial #2 Redevelopment Areas, was sold in late-2013 by Linden Development LLC to Duke Linden LLC (Duke Linden). Duke Realty Corporation is a primary member of both the former owner (Linden Development LLC) and new owner (Duke Linden) and will provide for consistent implementation of the previously-approved remedial strategy outlined in RAWP Addendum No. 4. The project team has remained unchanged since the last progress report.

As part of the property transaction, NJDEP assigned the following updated identification numbers for the industrial portion of the Former GM Plant which includes the Industrial #2 Redevelopment Area:

- Program Interest Number: 621084
- Case Tracking Number: E20040531-Industrial

This letter constitutes Remedial Action Progress Report No. 16 for the Industrial #2 Redevelopment Area. Hull & Associates, Inc. (Hull) has prepared this report on behalf of Duke Linden to summarize remedial activities completed on the Site between April 1, 2015 and June 30, 2015.

Requirements, according to N.J.A.C. 7:26E-6.6, are shown below in **bold italics**, with Hull/Duke Linden's update following. The report certification required by N.J.A.C. 7:26E-1.5 is included in Attachment A.



- 1. NJDEP requires a description of each planned remedial action**
 - i. Scheduled to be initiated or completed within the reporting period;**
 - ii. Actually initiated or completed during the reporting period; and**
 - iii. Scheduled but not initiated or not completed during the reporting period, including the reasons for the noncompliance with the approved schedule.**

Soil

As outlined in the approved RAWP, the remedial activities for soils on the Industrial #2 Redevelopment Area consist of the following:

- a. Excavation of approximately 1,715 yd³ of soil containing chemicals of potential concern (COPCs) at concentrations above applicable standards from AOI-7;
- b. Establishing deed restrictions or environmental covenants to maintain commercial/industrial land use at the Site;
- c. Regrading the site to achieve the grade necessary to support the proposed redevelopment;
- d. Constructing building slabs, parking areas and roadways and placing one foot of clean soil over geotextile fabric in future greenspaces to preclude direct contact exposures to future receptor populations and/or provide cover to historical fill material; and
- e. Surveying to demonstrate that all areas are covered with engineering controls (e.g., building slabs, parking areas and roadways) or one foot of clean soil.

With the exception of the targeted soil excavation activities within AOI-7, the remedial activities are directly related to construction activities associated with the future redevelopment at the Site which is dependent upon finalization of agreements with end users. Duke Linden has been working throughout the reporting period to establish agreements with end users to ultimately occupy various portions of the Site. Given that end user agreements have not been established for the Industrial #2 redevelopment area, the construction activities described in the RAWP have not yet been initiated.

The excavation activities within AOI-7 were completed in March and April 2012. A summary of the excavation activities, confirmatory sampling results, soil disposal and other details were provided in Quarterly Report No. 4, dated June 30, 2012. As discussed in that report, the confirmatory sampling results indicate that the AOI-7 excavation activities successfully removed the petroleum-impacted soils and achieved the cleanup goals specified in the approved RAWP.

Groundwater

The RAWP for the Industrial #2 Redevelopment Area was limited to soils. Groundwater actions, if any, are related to resolution of the disputed groundwater issue between the Site and neighboring Merck Pharmaceutical facility. NJDEP reviewed Linden Development's (now Duke Linden's) latest investigation report prepared by Hull related to the disputed groundwater issue (i.e., MW-97 Monitoring Well Cluster Installation and Supplemental Groundwater Sampling Report, July 2012). NJDEP issued a technical comment letter dated November 30, 2012 outlining the findings from the agency review of the July 2012 report. NJDEP's letter indicates that no sources have been identified on the Duke Linden property that created the groundwater contamination in the dispute. The letter requests that Linden Development (now Duke Linden) perform an additional year of groundwater monitoring in the southern portion of the site. A work plan for the groundwater sampling was submitted to NJDEP in late-March 2013. A revised work plan for groundwater sampling was submitted in March 2014 to address NJDEP comments on the original version. Duke Linden has completed the quarterly groundwater monitoring pursuant to the March 2014 sampling plan and submitted a Supplemental Quarterly Groundwater Monitoring Report to NJDEP in March 2015.

In April 2015, the additional groundwater sampling was conducted to further monitor groundwater concentration trends, to confirm the December 2014 results that showed a significant decrease in VOCs in a number of wells, collect additional data to further support that impact to the weathered and bedrock groundwater zones are attributable to off-site sources, and to assist in establishing a CEA for the Industrial Redevelopment Areas at the Site. The results of the April 2015 supplemental sampling event were provided to NJDEP in a letter report dated May 19, 2015 under separate cover. In anticipation of Building 11 construction, the report recommended decommissioning a number of monitoring wells in the planned Building 11 area. Building 11 will occupy Industrial Redevelopment Area #2 and a portion of Industrial Area #1. In a June 19, 2015 email, NJDPE approved a reduced list of wells to decommission. The modified list of wells are being decommissioned the week of June 22, 2015.

Storm Sewer (AOI-18)

Remedial activities associated with AOI-18 are complete, as documented to NJDEP in previous reporting efforts associated with the neighboring Retail and Industrial #1 Redevelopment Areas. Specifically, the storm sewer activities were documented in *Remedial Action Progress Report No. 1 for the Retail Redevelopment Area Portion of the Former General Motors Linden Assembly Plant*, dated November 23, 2009 and in *Remedial Action Progress Report No. 1 for the Industrial No. 1 Redevelopment Area Portion of the Former General Motors Linden Assembly Plant*, also dated November 23, 2009.

2. NJDEP requires discussion of problems and delays in the implementation of the RAWP, which should include proposals for corrections.

As discussed above, a majority of the remedial activities are directly-related to construction activities associated with the future redevelopment at the Site which is dependent upon establishment of agreements with end users. The construction activities described in the RAWP, with the exception of the AOI-7 excavation activities, have not been implemented due to economic conditions. Duke Linden is continuing to pursue agreements with end users for the Industrial #2 Redevelopment Area. In the interim, the GM concrete floor slab

remains intact. The targeted excavation activities within AOI-7 were completed in early-April 2012. Duke Linden is planning for the future construction of Building 11. Although Duke Linden prepared a tentative construction schedule for Building 11, which will occupy the remainder of the Industrial Redevelopment Area, the project has not been released for construction.

3. NJDEP requires proposals for a deviation from, or modification to, the approved RAWP.

No deviations from, or modifications to, the approved RAWP are planned or required at this time.

4. NJDEP requires submittal of a revised schedule pursuant to N.J.A.C. 7:26E-6.5, to reflect the changes as noted in 1 through 3 above.

As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and full implementation of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports. The next progress report is scheduled to be submitted on or before June 30, 2015. The targeted excavation activities within AOI-7 were completed in early-April 2012.

Duke Linden is planning for the future construction of Building 11. Although Duke Linden prepared a tentative construction schedule for Building 11, which will occupy the remainder of the Industrial Redevelopment Area, the project has not been released for construction. The tentative construction schedule for Building 11 is included in Attachment B.

5. NJDEP requires an updated status of all permit applications relative to the critical path schedule.

The permits required for initiation of the remedial activities are summarized below.

Permit/Approval Type	Status	Notes
Planning Board Approval	Approved 11/17/08	Site plan approved by City of Linden Planning Board
NPDES Permit (Storm Water)	Approved 9/16/09	NPDES Permit No. 0088323
Soil Conservation District	Approved 9/16/09	Approved by Somerset-Union Conservation District
Building Permit for Building 11	Submitted	Waiting for approval

6. NJDEP requires a listing of each remedial action to be performed during the next reporting period.

No remedial activities are scheduled during the next reporting period. As noted above, establishment of agreements with end users is the driving force behind the redevelopment of the Site and implementation of the remaining portions of the RAWP. Duke Linden continues to pursue agreements with end users and will provide updates in subsequent quarterly reports. The next progress report is scheduled to be submitted on or before September 30, 2015.

7. NJDEP requires costs of each remedial action

- i. Annual summary of all remedial action costs incurred to date; and**
- ii. Revised cost estimate for remedial actions remaining to be performed.**

Given that significant construction and remedial implementation has not yet commenced, no significant remedial costs have been accrued in Industrial No. 2, with the exception of costs for the storm sewer cleaning (i.e., approximately \$7,000) and the previously completed AOI-7 excavation project. The costs for the AOI-7 activities totaled approximately \$240,000 at project completion, which is below the amount used in the current remediation cost estimate.

The overall cost estimate for completing remedial activities remains consistent with that presented in the RAWP (i.e., approximately \$11,900,000 for earthwork and construction of engineering controls).

8. NJDEP requires a tabulation of sampling results [according to N.J.A.C. 7:26E-3.13(c)(3)] received during the reporting period and a summary of the data and any conclusions, presented in a format consistent with N.J.A.C. 7:26E-4.8.

Groundwater-related sampling results received during the reporting period were provided under separate cover.

9. NJDEP requires a summary of active groundwater remedial actions

- i. Groundwater elevation maps with groundwater flow shown immediately before and during active groundwater remediation;**
- ii. Graphs depicting changes in concentrations over time for all impacted wells as well as all down-gradient wells;**
- iii. Summary of volume of water treated since last reporting period and the total volume treated since active remedial action commenced; and**
- iv. Summary of groundwater contamination, indicating either that contamination remains above applicable standards (include a proposal detailing additional remedial actions) or that concentrations are below applicable standards.**

The RAWP for the Industrial #2 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

10. NJDEP requires a summary of natural remediation groundwater remedial actions

- i. Summary table of the groundwater monitoring results collected; and**
- ii. Conclusions whether data indicate that natural remediation is no longer appropriate (must then also submit a revised RAWP)**

The RAWP for the Industrial #2 Redevelopment Area was limited to soils only. Therefore, this section is not applicable.

11. NJDEP requires a description of all wastes generated as a result of the remedial action

- i. Tabulation of waste characterization samples collected, including the physical state of the material, volume, number of samples, analyses performed and results;*
- ii. Listing of types and quantities of waste generated by the remedial action during the reporting period as well as to date;*
- iii. Name of the disposal facility used;*
- iv. Transporters' dates of disposal; and*
- v. Manifest numbers of each waste shipment.*

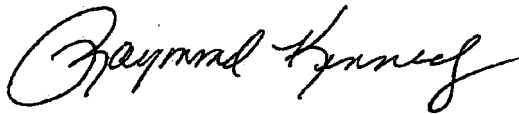
No wastes were generated during the reporting period.

12. NJDEP requires that any additional support documentation that is available also be provided (photos, etc.).

Given that the majority of the remedial activities have not yet been implemented, no additional support documentation is available.

The next scheduled remedial action progress report will include remedial actions completed between July 1, 2015 and September 30, 2015. Please feel free to contact Raymond Kennedy at (614) 793-8777 with any questions regarding the update provided herein.

Sincerely,



Raymond Kennedy
Senior Project Manager

Attachments

ct: Clifford Ng – U.S. EPA Region 2
David Jennings – Duke Linden LLC
Joseph M. Sorge – J.M. Sorge, Inc.

ATTACHMENT A
Report Certification

Certification

**Duke Linden, LLC
ISRA Case Number E20040531-Industrial**

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.

Duke Linden, LLC, a Delaware limited liability company

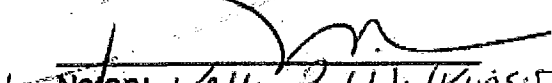
By: Duke Realty Limited Partnership, an Indiana limited partnership, its sole member

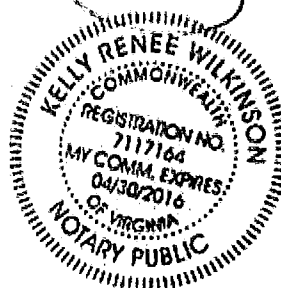
By: Duke Realty Corporation, an Indiana corporation, sole general partner

Date: June 22, 2015

By: 
John Van Vliet
Vice President, Construction

Sworn to and subscribed to before me on this 22nd day of June, 2015


Notary Kelly R. Wilkinson



ATTACHMENT B

Building 11 Tentative Construction Schedule

Tue 4/14/15

Building 11 - Legacy Commerce Center Linden, NJ Development Schedule

